

**Memorial Resolutions**

H. C. R. No. 100—Memorial resolution for Raymond E. Buck.

S. R. No. 824—By Senator Watson: Memorial resolution for George Earle (Jack) Schuh.

S. R. No. 829—By Senator Watson: Memorial resolution for Clarence C. Herring.

**Welcome and Congratulatory Resolutions**

S. R. No. 816—By Senator Hightower: Extending welcome to Jeff Jer-nigan, et al.

S. R. No. 817—By Senator Aikin: Extending welcome to Mr. and Mrs. John H. Moore.

S. R. No. 818—By Senator Moore: Extending congratulations to citizens of Hearne on its 100th birthday.

S. R. No. 820—By Senator Herring: Extending welcome to teacher and government classes, Johnston High School.

S. R. No. 821—By Senator Brooks: Extending welcome to Miss Mary Gene Mendez.

S. R. No. 823—By Senator Watson: Extending welcome to Willard Green and Reuben Mikeska.

S. R. No. 825—By Senator Watson: Extending commendation to Bert Scheinbrum.

S. R. No. 826—By Senator Watson: Extending congratulations to Miss Mary Helen Yarbrough, Texas Blue-bonnet Queen.

S. R. No. 827—By Senator Watson: Extending welcome to C. L. "Chie" Walker.

S. R. No. 828—By Senator Watson: Extending commendation to Mrs. Dorothy Talbot.

S. R. No. 830—By Senator McKool: Extending welcome to teacher and students, Corpus Christi Junior High.

S. R. No. 831—By Senator Watson: Extending welcome to C. D. Oldham.

**Adjournment**

On motion of Senator Brooks the Senate at 12:25 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

**FORTY-SEVENTH DAY**

(Wednesday, March 31, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

**Absent—Excused**

Bridges	Mauzy
Christie	Word
Creighton	

A quorum was announced present.

Reverend W. H. Townsend, Chap-lain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yes-terday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Word was granted leave of absence for today on account of important business on motion of Sen-ator Aikin.

Senator Bridges was granted leave of absence for today on account of illness on motion of Senator Blanch-ard.

Senator Mauzy was granted leave of absence for today on account of important business on motion of Sen-ator Blanchard.

Senator Christie was granted leave of absence for today on account of important business on motion of Sen-ator Aikin.

**Reports of Standing Committees**

Senator Mauzy submitted the following reports for the Committee on Education:

C. S. S. B. No. 160 (Read first time).

S. B. No. 54.

S. B. No. 56.

S. B. No. 683.

Senator Blanchard submitted the following report for the Committee on Insurance:

S. B. No. 730.

Senator Herring submitted the following reports for the Committee on Jurisprudence:

S. B. No. 415.

S. B. No. 429.

S. B. No. 756.

S. B. No. 753.

S. B. No. 111.

S. B. No. 32.

S. B. No. 280.

S. B. No. 307.

S. B. No. 126.

S. B. No. 194.

S. B. No. 430.

S. B. No. 225.

S. B. No. 377.

Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 881.

S. B. No. 819.

S. B. No. 814.

S. B. No. 813.

C. S. S. B. No. 812 (Read first time).

S. B. No. 807.

S. B. No. 775.

S. B. No. 755.

S. B. No. 713.

S. B. No. 698.

S. B. No. 697.

S. B. No. 667.

S. B. No. 622.

S. B. No. 554.

S. B. No. 550.

S. B. No. 315.

S. B. No. 270.

S. B. No. 208.

S. B. No. 792 (Amended).

S. B. No. 642 (Amended).

S. B. No. 808 (Amended).

S. B. No. 781 (Amended).

C. S. S. B. No. 379 (read first time).

Senator Bernal submitted the following reports for the Committee on Federal Programs and Relations:

S. B. No. 546.

H. C. R. No. 33.

Senator Jordan submitted the following reports for the Committee on Labor and Management Relations:

C. S. S. B. No. 379 (Read first time).

S. B. No. 878.

**Senate Bills on First Reading**

Senator Aikin moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time of the following bills, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

## Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senators Creighton, Schwartz and Kennard:

S. B. No. 894, A bill to be entitled "An Act amending Section 8 of the Local Sales & Use Tax Act, as amended (codified as Article 1066c, Vernon's Texas Civil Statutes), to provide for the retaining and use by the state of a city's share of the local sales and use tax for purposes related to achieving compliance with the Texas Water Quality Act and the waste discharge permits, rules and orders applicable to the city issued under that Act; declaring this Act to be cumulative of other laws on the same subject; providing for severability; and declaring an emergency."

To Committee on Water and Conservation.

By Senators Aikin and Schwartz:

S. B. No. 895, A bill to be entitled "An Act authorizing the Department of Public Welfare to transfer and spend funds for the Aid to families with Dependent Children Program; and declaring an emergency."

To Committee on Finance.

## Senate Resolution 832

Senator Herring offered the following resolution:

Whereas, When the 62nd Regular Session of the Texas Legislature convened in January of 1971, a familiar face who has been a part of the Senate staff since 1945 was absent; and

Whereas, Mrs. Hazel O'Quinn, made her decision to retire from the position of Assistant to the Secretary of the Senate, in order that she might give more of her time to her duties as the wife of Judge Trueman E. O'Quinn, Associate Justice of the Texas Court of Civil Appeals; she is devoting much of her time to assisting him in writing a book about O. Henry; and she hopes to find time to return to writing; and

Whereas, Her plans for this new leisure time will include the restoration of a 120-year old stone house located near Fredericksburg, affording a panorama of the wild life of

the hill country, an enjoyment shared equally by Mrs. O'Quinn and her family; and

Whereas, Time will permit more frequent visits with both sons: Kerry, who resides in New York and is involved in the production of advertising films; and Trueman "Pud" O'Quinn, Jr., whose home is in Houston with his wife and small daughter; and

Whereas, Mrs. O'Quinn through her years of continued work has become excelled by few in knowledge of the legislative procedures; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature express to Mrs. Hazel O'Quinn our appreciation for her years of service as a valued member of our staff; and convey to her our best wishes for her future happiness; and be it further

Resolved, That a copy of this Resolution be prepared, under the seal of the Senate and presented to her in appreciation of her dedicated service throughout the years.

HERRING  
HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, and Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring the resolution was adopted.

## Message From the Governor

The following message from the Governor was read and referred to Committee on Nominations:

Austin, Texas,  
March 31, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the Texas Board of Corrections: For a six-year term to expire February 2, 1977: T. Louis Austin, Jr., of Dallas, Dallas County, to replace Walter Pfluger, of San Angelo, Tom Green County, whose term has expired.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas

#### House Bill 106 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 106, A bill to be entitled "An Act relating to the inoculation and vaccination of children admitted to child caring institutions and facilities; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 106 on Third Reading

Senator Brooks moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 106 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

#### Message From the House

Hall of the House of Representatives  
Austin, Texas.  
March 31, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 506, Provides standard time in Texas and exempts state from provisions of federal law relating to uniform advancement of time.

Failed of Engrossment by 58 ayes, 86 noes, 1 present not voting. Motion to reconsider the vote failed by a record vote of 64 ayes, 82 noes, 1 present not voting.

Respectfully submitted,  
DOROTHY HALLMAN,

Chief Clerk, House of Representatives

#### House Bill 182 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 182, A bill to be entitled "An Act relating to the regulation of the movement and operation of certain oversize, overweight or over-length commodities and equipment on public roads other than state highways in an incorporated municipality; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 182 on Third Reading**

Senator Bates moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 182 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

**Absent—Excused**

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—26**

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

**Absent—Excused**

Bridges	Mauzy
Christie	Word
Creighton	

**Committee Substitute  
Senate Bill 72 on Second Reading**

On motion of Senator Brooks and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 72, A bill to be entitled "An Act relating to the appointment, powers, duties, and qualifications of certain reserve law-enforcement officers; amending Chapter 546, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 4413 (29aa), Vernon's Texas Civil Statutes), by adding Section 2A; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend the Committee Substitute for S. B. 72 by renumbering Section 6 as Section 7 and adding a new Section 6 to read as follows:

"Section 6. Any person serving as a reserve law enforcement officer before the effective date of this Act may be appointed to temporarily serve as a reserve law enforcement officer without fulfilling the minimum training standards established by the Commission on Law Enforcement Officer Standards and Education. In no case shall any person serve as a reserve law enforcement officer after January 1, 1973, unless he has fulfilled the minimum physical, mental, educational, moral and training standards established by the Commission on Law Enforcement Officer Standards and Education."

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Committee Substitute  
Senate Bill 72 on Third Reading**

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 72 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

## Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 465 on Second Reading

On motion of Senator Sherman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 465, A bill to be entitled "An Act amending Chapter IX, Article 10 of The Texas Banking Code of 1943, authorizing the Banking Commissioner of Texas, with the approval of a majority of the Finance Commission and the Governor of Texas, to proclaim a financial moratorium for and to invoke a uniform limitation on withdrawal of deposits from all banks within the State; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

## Senate Bill 465 on Third Reading

Senator Sherman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

## Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

## Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

## Senate Bill 466 on Second Reading

On motion of Senator Sherman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 466, A bill to be entitled "An Act amending The Texas Banking Code enumerating days declared to be legal holidays for banking purposes on which each bank or trust company in Texas shall remain closed

and providing such enumerated legal holidays shall be neither business days nor banking days under the laws of this State or the United States and any act authorized, required or permitted to be performed at or by any bank or trust company may be performed on the next succeeding business day and no liability or loss of right of any kind shall result therefrom to any bank or trust company; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 466 on Third Reading

Senator Sherman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 466 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Brooks
Bates	Connally
Beckworth	Grover
Bernal	Hall
Blanchard	Harrington

Harris	Patman
Herring	Ratliff
Hightower	Schwartz
Jordan	Sherman
Kennard	Snelson
Kothmann	Wallace
McKool	Watson
Moore	Wilson

Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

#### Co-Authors of Senate Bill 583

On motion of Senator Bernal and by unanimous consent, Senators McKool, Schwartz, Mauzy, Brooks, Wallace, Jordan, Bridges, Harrington and Kennard will be shown as Co-authors of S. B. No. 583.

#### Senate Bill 230 on Second Reading

Senator McKool asked unanimous consent to suspend the regular order of business and take up S. B. No. 230 for consideration at this time.

There was objection.

Senator McKool then moved to suspend the regular order of business and take up S. B. No. 230 for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 230, A bill to be entitled "An Act relating to the inclusion of fine arts projects in certain state and public building construction projects through cooperation with the Texas Fine Arts Commission; and declaring an emergency."

The bill was read second time.

Senator McKool offered the following amendment to the bill:

Amend S. B. No. 230, as reported from committee, by:

(1) Adding to Subdivision (2) of Section 1, between the words "for" and "the" on line 14 of page 1, the phrase: "the Department of Mental Health and Mental Retardation, the Texas Youth Council, the Texas Employment Commission, and"; and

(2) striking the word and punctuation "landscaping," on line 35 of page 1.

The amendment was read and was adopted.

On motion of Senator McKool and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 230 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 230 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—26

Aikin	Harrington
Bates	Harris
Beckworth	Herring
Bernal	Hightower
Blanchard	Jordan
Brooks	Kennard
Connally	Kothmann
Grover	McKool
Hall	Moore

Patman	Snelson
Ratliff	Wallace
Schwartz	Watson
Sherman	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

#### Senate Bill 460 on Second Reading

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 460, A bill to be entitled "An Act concerning the issuance of permits and taxation of suppliers, dealers, and users of liquefied gas and liquefied gas carburetor dealers. etc.; and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. 460, Section 6, Subsection (1), third sentence, by striking the words "to make the" and inserting in lieu thereof the words "the make and the".

The Committee Amendment was read and was adopted.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. 460, Section 1, subparagraph (7), by changing the word "of" appearing before the words "the public highways" to read "on".

The Committee Amendment was read and was adopted.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. 460, Section 7 (1), page 9 of the bill as introduced, by striking the paragraph immediately following the title "CARBURETOR DEALER PERMITS" and substituting in lieu thereof the following:

"Authorizing persons holding such permits to sell, lease, transfer, or make installation of liquefied gas car-



buretion systems and requiring reports to be filed monthly with the Comptroller showing the date and recipient of each carburetion system sold, leased, transferred or installed on or for use on a farm motor vehicle and such other information as the Comptroller may require."

The Committee Amendment was read and was adopted.

On motion of Senator Blanchard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 460 on Third Reading

Senator Blanchard moved that the Constitutional rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 460 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 432 on Second Reading

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this

time on its second reading and passage to engrossment:

S. B. No. 432, A bill to be entitled "An Act relating to mortgage guaranty insurance; amending the Texas Insurance Code by adding Article 21.50; repealing Article 1.26-1, Texas Insurance Code; and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. 432 by striking all above the enacting clause and substituting in lieu thereof the following:

#### "A BILL TO BE ENTITLED

"An Act relating to mortgage guaranty insurance; amending the Texas Insurance Code by adding Article 21.50; repealing Article 1.26, Texas Insurance Code (Chapter 504, Page 1318, Acts 1963, 58th Legislature, amended by Chapter 211, Section 1, Page 466, Acts 1967, 60th Legislature); repealing Article 1.26-1, Texas Insurance Code (Chapter 211, Section 2, Acts 1967, 60th Legislature); and declaring an emergency."

The Committee Amendment was read and was adopted.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. 432 by striking all of Section 2 and substituting in lieu thereof the following:

"Section 2. Article 1.26 of the Insurance Code (Chapter 504, Page 1318, Acts 1963, 58th Legislature, amended by Acts 1967, 60th Legislature, page 466, Chapter 211, Section 1; and Article 1.26-1, of the Insurance Code (Acts 1967, 60th Legislature, Page 466, Chapter 211, Section 2) are hereby repealed."

The Committee Amendment was read and was adopted.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend Senate Bill 432 by striking out section 9 and substituting in lieu thereof the following:

"Section 9. No bank, savings and loan association or insurance company, or an approved seller-servicer of the Federal National Mortgage Association, any of whose authorized real estate securities are insured by a mortgage guaranty insurance company, may state in any brochure, pamphlet, report or any form of advertising that the real estate loans of the bank, savings and loan association, insurance company or an approved seller-servicer of the Federal National Mortgage Association are 'insured loans' unless the brochure, pamphlet, report or advertising also clearly states that the loans are insured by private insurers and the names of the private insurers are given and shall not make any such statement at all unless such insurance is by an insurer certificated to write in this State."

The Committee Amendment was read and was adopted.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend Senate Bill 432 by striking out section 1(b)(1) and substituting in lieu thereof the following:

"(1) The real estate loan secured in such manner is one which a bank, savings and loan association, or an insurance company, which is supervised and regulated by a department of this State or an agency of the federal government or an approved seller-servicer of the Federal National Mortgage Association, is authorized to make."

The Committee Amendment was read and was adopted.

On motion of Senator Blanchard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to engrossment.

#### Senate Bill 432 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 432 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Hightower
Bates	Jordan
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Ratliff
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Wilson
Herring	

#### Nays—3

Kennard	Watson
Patman	

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Watson and Aikin asked to be recorded as voting "Nay" on the final passage of the bill.

#### Senate Bill 132 on Second Reading

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 132, A bill to be entitled "An Act relating to punishment for contempt; amending Article 1911, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time.

Senator Hall offered the following Committee Amendment to the bill:

Amend S. B. 132, Sec. 1, Sub. (a), line 17, by adding the words "Court of Domestic Relations" and "Juvenile Court" after word "Court."

and (b), line 20, by adding "Court of Domestic Relations" and "Juvenile Court" after word "Court."

The Committee Amendment was read and was adopted.

On motion of Senator Hall and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 132 on Third Reading

Senator Hall moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 132 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Wallace, Brooks, Bernal, and Jordan asked to be recorded as voting "Nay" on the final passage of the bill.

#### Senate Bill 229 on Second Reading

On motion of Senator Wilson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 229, A bill to be entitled "An Act amending statutes so as to provide that revenue bonds may be delivered to the Texas Water Development Board as the price for purchase of the State's interest in acquired storage facilities, enacting other provisions relating to the subject, providing for severability, and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 229 on Third Reading

Senator Wilson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 229 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—26

Aikin	Harrington
Bates	Harris
Beckworth	Herring
Bernal	Hightower
Blanchard	Jordan
Brooks	Kennard
Connally	Kothmann
Grover	McKool
Hall	Moore

Patman	Snelson
Ratliff	Wallace
Schwartz	Watson
Sherman	Wilson

Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

**Senate Bill 524 on Second Reading**

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 524, A bill to be entitled "An Act amending Section 2, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967, as amended by Chapter 227, Acts of the 61st Legislature, Regular Session, 1969, and declaring an emergency."

The bill was read second time.

Senator Snelson offered the following amendment to the bill:

Amend Senate Bill 524 by deleting "Sec. 2 (e)" and inserting in lieu thereof the following:

"(e) Nothing in this Act shall be construed to require school boards to hold meetings open to the public in cases involving discipline of public school children unless an open hearing is requested in writing by a parent or guardian of the child."

The amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 524 on Third Reading**

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 524 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Message From the House**

Hall of the House of Representatives

Austin, Texas,  
March 31, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 68, An Act relating to the correction of the enrolled copy of Senate Bill No. 333.

(With Amendment.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Executive Session**

Senator Herring announced that the time had arrived for an Executive Session at 11:30 o'clock a.m. today (Senator Christie having given Notice on yesterday).

Accordingly, the President Pro Tempore directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be a Member of the Texas Aeronautics Commission: For a term to expire December 31, 1972: Lucien Flournoy, Alice, Jim Wells County. For a six-year term to expire December 31, 1976: Rex C. Cauble, Denton, Denton County; Emory E. Gose, Jr., Houston, Harris County.

To be a Member of the State Board of Vocational Nurse Examiners: For a six-year term to expire September 6, 1973: Robert Wells Shirey, M.D., Hillsboro, Hill County; Harry H. Miller, Baytown, Harris County; Mrs. Melba Joe Thomas, Naples, Morris County. For a six-year term to expire September 6, 1975: Mrs. Minnie B. Otto, Needville, Fort Bend County; Mrs. Billie Jo Woodall, Grand Prairie, Tarrant County; Mrs. Arnice Fowler Spence, Houston, Harris County.

To be a Member of the Board of Regents of Pan American College: For a six-year term to expire August 31, 1975: Barney McCoy Davis, Corpus Christi, Nueces County.

To be a Member of the Texas Alcoholic Beverage Commission: For a six-year term to expire November 14, 1975: Joe W. Burkett, Jr., Kerrville, Kerr County.

To be a Member of the Texas Optometry Board: For a two-year term to expire January 31, 1971: N. Jay Rogers, O.D., Beaumont, Jefferson County; John William Davis, O.D., Dallas, Dallas County. For a four-year term to expire January 31, 1973: Nelson F. Waldman, O.D., Houston, Harris County; Jacob Marvin Cohen, O.D., Houston, Harris County. For a six-year term to expire January 31, 1975: Salvador S. Mora, O.D., Laredo, Webb County; Jack Burton, O.D., Cleburne, Johnson County. For a six-year term to expire January 31, 1977: John Berry Bowen, O.D., Sweetwater, Nolan County; N. J. Rogers, O.D., Beaumont, Jefferson County.

To be Members of the Board of Regents of Texas Woman's University: For terms to expire January 10, 1973: L. Rumsey Strickland, Dallas, Dallas County; R. L. Thornton, Jr., Dallas, Dallas County.

To be Members of the State Board of Examiners in the Basic Sciences: For six-year terms to expire July 23, 1975: Paul C. Witt, Ph.D., Abilene, Taylor County; Everett Dale Wilson, Ph.D., Huntsville, Walker County. For a term to expire July 23, 1973: Sidney W. Edwards, Ph.D., San Marcos, Hays County.

To be Members of the Battleship Texas Commission: For six-year terms to expire May 1, 1975: Robert Norman Aylin, Houston, Harris County; Mrs. Viola Marie Webb, El Campo, Wharton County; Richard C. Gusman, Bay City, Matagorda County. For a term to expire May 1, 1971: C. H. Taylor, Adm. USNR, Houston, Harris County.

To be Members of the State Commission for the Blind: For six-year terms to expire January 1, 1977: Irving M. Axelrod, Houston, Harris County; Thurman Dobbins, Austin, Travis County.

To be Members of the John F. Kennedy Memorial Commission: For a two-year term to expire January 31, 1971: William D. Cox, Jr., Dallas, Dallas County. For four-year terms to expire January 31, 1973: Lee A. Lewis, Houston, Harris County; George Ozuna, San Antonio, Bexar County. For six-year terms to expire January 31, 1975: Willard H. Green, Temple, Bell County; Bernard Rapoport, Waco, McLennan County.

To be Members of the Texas Surplus Property Agency: For a two-year term to expire August 31, 1971: Clarence A. Roberson, Fort Worth, Tarrant County. For a six-year term to expire March 19, 1977: Clarence A. Roberson, Fort Worth, Tarrant County. For a two-year term to expire August 31, 1971: Grady J. Hester, Terrell, Kaufman County.

To be Members of the Texas Surplus Property Agency: For a two-year term to expire March 19, 1973: Grady J. Hester, Terrell, Kaufman County. For a two-year term to expire August 31, 1971: Garland Perry Ferguson, Gladewater, Gregg County. For a four-year term to expire March 19, 1975: Garland P. Ferguson, Gladewater, Upshur County. For a two-year term to expire August 31, 1971: Cyril Otis Layne, Austin, Travis

County. For a six-year term to expire March 19, 1977: Cyril Otis Layne, Austin, Travis County. For a two-year term to expire August 31, 1971: William Joseph Hamm, San Antonio, Bexar County. For a two-year term to expire March 19, 1973: William Joseph Hamm, San Antonio, Bexar County. For a two-year term to expire August 31, 1971: Jess M. Irwin, Jr., Austin, Travis County. For a four-year term to expire March 19, 1975: Jess M. Irwin, Jr., Austin, Travis County. For a two-year term to expire August 31, 1971: Ed F. Riedel, Austin, Travis County. For a six-year term to expire March 19, 1977: Ed F. Riedel, Austin, Travis County. For a two-year term to expire August 31, 1971: Thomas Morris Spencer, Pasadena, Harris County. For a four-year term to expire March 19, 1975: Thomas Morris Spencer, Pasadena, Harris County. For a two-year term to expire August 31, 1971: Bill Bitner, Centerville, Leon County. For a two-year term to expire March 19, 1973: Bill Bitner, Centerville, Leon County.

To be Members of the Texas Industrial Commission: For six-year terms to expire February 15, 1977: Andrew B. "Stormy" Shelton, Abilene, Taylor County; Chester C. Wine, Corpus Christi, Nueces County. For a term to expire February 15, 1973: Homer Lee Bryce, Henderson, Rusk County.

To be Members of the Texas Board of Private Detectives, Private Investigators, Private Patrolmen and Private Guard Watchmen: For two-year terms to expire August 31, 1971: John Mason Lankford, Jr., Fort Worth, Tarrant County; Robert C. Taylor, Houston, Harris County; Captain Robert (Bob) Austin Crowder, Dallas, Dallas County; Morris A. Ruebright, Houston, Harris County; George Waldo Bichsel, San Antonio, Bexar County.

#### In Legislative Session

The President Pro Tempore called the Senate to order as In Legislative Session at 11:47 o'clock a.m.

#### Senate Joint Resolution 39 on Second Reading

On motion of Senator Kennard and by unanimous consent, the regular order of business was suspended to

take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 39, Proposing an amendment to Article III of the Constitution of Texas by adding a new section which would provide for the sale of bonds by the Parks and Wildlife Department and/or the Veterans Land Board at an increased weighted average interest rate not to exceed six per cent (6%), said bonds being issued pursuant to constitutional authority; and providing for an election and the issuance of a proclamation therefor.

The resolution was read second time and passed to engrossment.

(Senator Aikin in Chair.)

#### Senate Joint Resolution 39 on Third Reading

Senator Kennard moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 39 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

#### Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

## Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

## Senate Bill 125 on Second Reading

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 125, A bill to be entitled "An Act relating to the abolition of common-law marriages after December 31, 1971; making certain conforming amendments regarding proof of informal marriages and the declaration and registration of informal marriages; amending Subchapter E, Chapter 1, Family Code; and declaring an emergency."

The bill was read second time.

Senator Hightower offered the following amendment to the bill:

Amend Senate Bill No. 125 by:

(1) renumbering quoted Subsections (c), (d), and (e) of quoted Section 1.92 as Subsections (d), (e), and (f), and adding a new Subsection (c) to read as follows:

"(c) If either party was underage, as provided in Section 2.41 of this code, at the time of the marriage, the declaration shall have attached an acknowledged consent executed prior to the marriage by the parents of each underage person."

(2) renumbering Section 2 as Section 3 and adding a new Section 2 to read as follows:

"Sec. 2. Section 2.41, Family Code, is amended to read as follows:

## "Section 2.41. UNDERAGE. (a)

The licensed marriage of a male 16 years of age or older but under 19 years of age, or a female 14 years of age or older but under 18 years of age, without parental consent as provided by Section 1.52 of this code, is voidable and subject to annulment at the discretion of the court on the petition of a next friend for the benefit of the underage party, or on the petition of the parent or the guardian of the person of the underage party. However, a suit may not be brought under this subsection more than 90 days after the date of the marriage.

"(b) The informal marriage of a male 16 years of age or older but under 19 years of age, or a female 14 years of age or older but under 18 years of age, prior to January 1, 1972, without parental consent as provided by Section 1.92(c) of this code, is voidable and subject to annulment at the discretion of the court on the petition of a next friend for the benefit of the underage party, or on the petition of the parent or guardian of the person of the underage party. However a suit may not be brought under this subsection more than 90 days after the date of the marriage.

"(c) In exercising its discretion under this section, the court shall consider all pertinent facts concerning the welfare and best interests of both parties to the marriage, including whether or not the woman is pregnant."

The amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Senate Bill 125 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Bates
-------	-------

Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Brooks	Moore
Connally	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson

Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Welcome and Congratulatory Resolutions

S. R. No. 833—By Senator Sherman: Extending commendation to Spearman High School Girls Basketball team, Class AA Champions.

S. R. No. 834—By Senator Watson: Extending welcome to Jesse Jones, et al.

S. R. No. 835—By Senator Herring: Extending congratulations to Mr. and Mrs. Harlie P. Gillespie.

S. R. No. 836—By Senator Brooks: Extending welcome to the Honorable Walter Carr, Houston.

S. R. No. 837—By Senator Herring: Extending welcome to teacher and students, 5th grade class, I. W. Popham Elementary School.

S. R. No. 838—By Senator Jordan: Extending welcome to teachers and students, Texas Southern University.

S. R. No. 839—By Senator Watson: Extending welcome to Edd Martin and Boots Felton.

S. R. No. 840—By Senator Watson: Extending welcome to Paul Smith, et al.

S. R. No. 841—By Senator Watson: Extending welcome to Bill Bailey.

S. R. No. 842—By Senator Watson: Extending welcome to Ben Ford, Tom Martin and Pete Kunz.

S. R. No. 843—By Senator Watson: Extending welcome to Dr. Bill Tanner, et al.

S. R. No. 844—By Senator Watson: Extending welcome to Dr. Doug Guthrie.

S. R. No. 845—By Senators Grover and Schwartz: Extending congratulations to Dr. and Mrs. Jacob M. Cohen.

S. R. No. 846—By Senators Bernal and Kothmann: Extending welcome to teacher and students, St. Mary's University.

#### Adjournment

On motion of Senator Hightower the Senate at 11:55 o'clock a.m. adjourned until 12:00 o'clock m. tomorrow.

#### APPENDIX

Sent to Governor

March 31, 1971

S. C. R. No. 63

#### FORTY-EIGHTH DAY

(Thursday, April 1, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Hightower	Wilson